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May 14, 2024

VIA ECF

The Honorable Judge Margo K. Brodie
United States District Court
for the Eastern District of New York
225 Cadman Plaza East
Courtroom 6F
Brooklyn, NY 11201

Re: *In re Payment Card Interchange Fee and Merchant Discount Antitrust Litigation*,
No. 1:05-MD-1720 (MKB)(JAM)

Dear Judge Brodie:

Rule 23(b)(3) Class Counsel (“Class Counsel”) write to request an extension of the current May 31, 2024 deadline to file claims in the above-entitled action. Based on the information and recommendation received from Epiq, the Class Administrator, a 3-month extension of the filing deadline to August 30, 2024 is in the best interests of the Class.

As the Court is aware, this is an extremely large Class, covering more than 14 years of transactions. Epiq has provided a Declaration from Senior Vice President Loree Kovach explaining some of the factors related to the request for an extension. *See* Ex. A.

Reasons to request the extension include the following: (1) there are many thousands of unresolved conflicting claims between third-party filers, class members, and claim buyers - more time would ensure that these conflicts are properly resolved; (2) because of the length of the Class Period, as well as other reasons such as merchant processor changes over the period, requests from class members regarding data, including requests to re-query the database and to provide additional data to determine interchange fees paid has been greater than anticipated; and (3) Epiq has seen a sharp spike in claims following a mailed postcard campaign and believes this increase in claims is likely to continue with additional time. *See, e.g.,* Ex. A, ¶¶9-14.

Epiq is prepared to commit additional resources to the project, if needed, to avoid the need to seek any additional extension requests. Ex. A, ¶17.

Class Counsel has weighed Epiq’s request for a 3-month extension and believes it is in the best interests of the Class to seek the Court’s approval of this extension. The Court has discretion to extend the claims filing deadline. *See, e.g., In re Crazy Eddie Sec. Litig.*, 906 F. Supp. 840, 844-45 (E.D.N.Y. 1995) (noting that if the court sets a deadline in a class action settlement agreement, the

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court retains the discretion to alter that deadline.). Epiq and Counsel are available at the Court's convenience to answer any questions related to this request.

Respectfully submitted,

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Attachment

cc: All Counsel via ECF